

Remarks

Interview

Applicants would like to thank Examiner Basquill for conducting a telephonic interview with the undersigned on July 27, 2011 and on August 8, 2011. In accordance with MPEP 713.04, this response provides a summary of the interviews, the substance of which is incorporated into the comments below.

Anticipation

The Office Action of 23 November 2010 rejected claims 1-3, 5, 7-12, 14, 16-18, and 20 for allegedly being anticipated under 35 USC § 102(b) by Chabot.

Applicants have amended the claims to clarify that the method comprises determining whether the subject has increased XOR activity in leukocyte or leukocyte precursor cells as a selection step for further treatment. Chabot does not disclose selecting for increased XOR activity in leukocytes and leukocyte precursor cells, and Chabot is completely silent with regard to XOR activity in leukocytes and leukocyte precursors in inflammation. Accordingly, Chabot does not disclose, explicitly or implicitly, every feature of the claimed invention and therefore fails to anticipate the claimed invention.

Should the Examiner believe that further discussion of any remaining issues would advance the prosecution, he or she is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date August 23, 2011

By /Zachary Derbyshire/

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